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*Attorney for the Plaintiffs, proposed FLSA Collective and  
potential Rule 23 Class*

Case No. 20-cv-11026

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

**MOTION FOR  
SUBSTITUTION OF PARTIES**

-----X  
ALFREDO BELLO HERRERA, and  
ANGELO BELLO SILVA,  
*on their own behalf and on behalf of others similarly  
situated*

Plaintiffs,

v.

MANNA 2ND AVENUE LLC  
d/b/a Gina La Fornarina;  
MANNA MADISON AVENUE LLC  
d/b/a Gina La Fornarina;  
MANNA PARC 61 LLC  
d/b/a Gina Mexicana;  
MAMEXICANA LLC  
d/b/a Gina Mexicana;  
MANNA LEXINGTON AVENUE LLC  
d/b/a Gina La Fornarina;  
WEST D&P LLC  
d/b/a Gina La Fornarina; and  
MAMERICANA 92 LLC  
d/b/a Gina Americana;  
MANNA AMSTERDAM AVENUE LLC  
d/b/a Gina La Fornarina;  
ENTERPRISE RESTAURANT LLC  
d/b/a Amaranth;  
PAOLA PEDRIGNANI,  
IGOR SEGOTA, and  
JEAN FRANCOIS MARCHAND,

Defendants.

**APPLICATION GRANTED**

**Hon. Katharine H. Parker, U.S.M.J.**

09/28/2021

**COME NOW** Plaintiffs Alfredo Bello Herrera, and Angela Bello Silva, and by their attorneys and herewith suggest upon the record and herewith moves to substitute a new party for Defendant Jean F. Marchand.

Counsel for Plaintiffs obtained the Letters Testamentary of the deceased Jean F. Marchand which names Jean F Marchand's spouse, Marie Marchand, as Executrix of the Estate of Jean F. Marchand a/k/a Jean Francoise Marchand a/k/a Francois Marchand. See Letters Testamentary issued on January 7, 2020 attached hereto as **Exhibit 1**.

Accordingly, Plaintiff suggests Marie Marchand, as Executrix of the Estate of Jean F. Marchand a/k/a Jean Francoise Marchand a/k/a Francois Marchand be substituted for Defendant Jean F. Marchand.

Dated: August 22, 2021  
Flushing, NY

TROY LAW, PLLC  
*Attorneys for the Plaintiffs, proposed FLSA  
Collective and potential Rule 23 Class*

/s/ John Troy  
John Troy (JT0481)



C20 (Rev. 1/07)

Certificate# 351950

# Surrogate's Court of the State of New York New York County

File#: 2019-3772

## Certificate of Appointment of Executor

To all to whom these presents shall come or may concern,

That we, having inspected the records of our Surrogate's Court in and for the County of New York, do find that on January 7, 2020 by said court, LETTERS TESTAMENTARY on the goods, chattels and credits of Jean F Marchand, deceased, late of the County of New York were granted unto the fiduciaries listed below.

**Name of Decedent:** **Jean F Marchand**  
aka Jean Francois Marchand  
Francois Marchand

**Date of Death:** May 8, 2019

**Domicile:** County of New York

**Fiduciary Appointed:** **Marie Marchand**

**Letters Issued:** LETTERS TESTAMENTARY

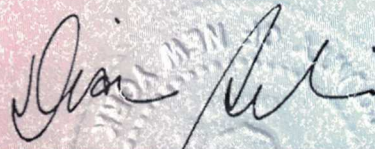
**Letters Issued On:** January 7, 2020

and such Letters are unrevoked and in full force as of this date.

**Dated:** August 19, 2021  
New York, New York

IN TESTIMONY WHEREOF, the seal of the New York  
County Surrogate's Court has been affixed.

WITNESS, Honorable Rita Mella, Judge of the New  
York County Surrogate's Court.



**Diana Sanabria, Chief Clerk**  
New York County Surrogate's Court

*This Certificate is Not Valid Without the Raised Seal of the New York County Surrogate's Court  
and expires six months from the issue date of this certificate.*